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Via Facsimile (212) 805-7901

Chambers of Hon. Harold Baer, Jr.  
 United States Courthouse  
 500 Pearl Street  
 New York, NY 10007

MELANDEZ v NYC 07cv6511

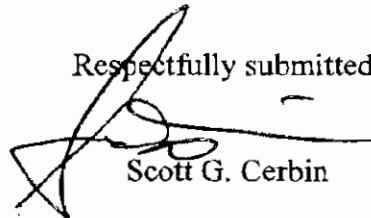
Dear Judge Baer:

I write to inform the Court that as of this afternoon I am on trial in the matter of People v. Carlos Perez in the Criminal Court of the City of New York, Kings County before the Hon. Suzanne Mondo; (Trial Part 4 - (347) 404-9350). We commenced *voir dire* this afternoon and I anticipate that the trial will last at least several days.

I have discussed this matter with counsel for the defendants Shawn Fabian, Esq. Mr. Fabian is amenable to an adjournment (Please note however that he is on trial the week of Nov. 5, 2007).

Accordingly, I respectfully request that the Court adjourn the conference now scheduled for October 10, 2007 at 4 p.m.

Respectfully submitted,

  
 Scott G. Cerbin

Cc: Shawn Fabian, Esq.



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ORDERED:

Harold Baer, Jr. U.S.D.J.  
 Date: 10/9/07

*The Law Journal*  
 notice requires 48  
 hours notice - this is less  
 than 24 - nonetheless I will  
 comply with the matter to 10/25/07

Endorsement:

The Law Journal notice requires 48 hours notice - this is less than 24 nonetheless I will adjourn the matter to 10/25/07 at 3:15 P.M.